

Archdiocese of Saint Louis

# Archdiocesan Statutes

## Chapter 1

Archdiocesan Policies and Procedures for Priests

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# ARCHDIOCESAN STATUTES

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## STATUTES

***Whenever the Statutes require the permission of the Archbishop or recourse to him, such permission must be sought and such recourse must be had, in writing. These statutes apply to all diocesan clergy, parishes and agencies of the Archdiocese, including those which are separately incorporated in civil law.***

### **1. Clergy**

- A. All diocesan priests and religious priests involved in parish work are obliged to attend the various Archdiocesan conferences for priests, study days, Chrism Mass and the Priests' Purgatorial Mass. Priests are encouraged to attend funerals of priests and family members of priests.
- B. All our diocesan priests should prepare their last will and testament, valid in civil law. Provisions should be made for the discharge of Mass intentions, accepted but not fulfilled. This will is to be made immediately after ordination and a sealed copy of the latest will is to be filed with the Chancellor.
- C. Without permission of the Archbishop no cleric may institute a suit, action or complaint in the civil or criminal courts, whether in personal or ecclesiastical matters; nor may he, without express permission of the Archbishop, testify voluntarily in any civil or criminal court, or voluntarily give his deposition in any civil or criminal matter.

Without the permission of the Ordinary, they may not undertake the administration of goods belonging to lay people, or secular offices which involve the obligation to render an account. They are forbidden to act as surety, even concerning their own goods, without consulting their proper Ordinary. They are not to sign promissory notes which involve the payment of money but do not state the reasons for the payment. (C.285, 4)

- D. Should a cleric receive a subpoena, he is advised to consult the Office of General Counsel immediately.
- E. Priests are not permitted: A) to endorse promissory notes of lay persons, or to pledge parish property or funds as collateral for the obligations of persons or to make bond for a lay person; B) other than family, to write the will of a lay person or to act as personal representative thereof or to accept the guardianship of children without the permission of the Ordinary.
- F. At the time of serious illness or death of a pastor, and until other provisions are made by the Archbishop, the dean will serve as administrator of the parish unless that parish has a canonically appointed administrator.

- G. The Archbishop, or his delegate, will be the official delegate for the canonical installation of a pastor. The Archbishop, or his delegate, will also receive the Profession of Faith and oath of Fidelity of the new pastor and submit a signed attestation of the Profession of Faith to the Chancellor.
- H. In addition to his other duties, the dean will regularly convene meetings of the priests of the deanery, prepare the agenda for such meetings and preside over them.
- I. Besides the records prescribed in Canon Law, the pastor is to see that the parish keeps an inventory of the temporalities of the parish, the books of the financial accounts, a record of Mass obligations and stipends, sacramental registers, and where parish cemeteries exist, a book or record of the cemetery
- J. The pastor shall submit to the Cardinal Rigali Center an annual financial report and a copy of the registers of baptisms, confirmations, and weddings.
- K. Each parish must have its own official seal.
- L. During the time of illness, the salary of the pastor and parochial vicar will continue, and remuneration of a substitute will be taken from the parish treasury; if the illness is of more than one month duration, the provisions of the Priests' Mutual Benefit Society will prevail.
- M. Any priest not incardinated but residing in the Archdiocese shall follow strictly the requirements established by the Archbishop.
- N. Priests who have completed the seventy-fifth year of age are required to present their resignation from office to the Archbishop, who will make provision after he has examined all the circumstances.

## **2. Chaplains**

- A. It is the duty of a chaplain to celebrate the Holy Eucharist, to administer the Sacraments and to conduct divine services according to agreement in the institution to which he has been assigned.
- B. Chaplains are to refrain from any interference in the internal and external affairs of the institutions to which they are assigned.
- C. If the Archbishop has not assigned a chaplain to a residential institution, whether Catholic or not, the local pastor has the spiritual responsibility of the people living in that residential institution.
- D. A transcript of the names of those who receive the sacraments of Baptism, Confirmation, or Marriage is to be sent immediately to the pastor of the parish in which the institution is territorially located. The proper pastor, for instance, the home pastor of a patient, shall also be informed.

### 3. Communications

- A. The Saint Louis Review, as the official Catholic newspaper of the Archdiocese, merits the loyal support of clergy, religious and laity. The Saint Louis Review shall be mailed to every active parishioner, which is defined as any household that contributes \$100 or more during the previous calendar year. To this end, each pastor shall submit a complete revised mailing list of every active parishioner of his parish to the offices of the Review. If a parishioner elects not to receive subscription, the parish should honor that request. However, the parish should not arbitrarily deny any household that contributed \$100 or more from receiving a subscription.
- B. Statements to be issued in the name of the Archdiocese to the media or other such organizations shall be made only by the Archbishop or the Director of the Office of Communications or one assigned by them.

### 4. Sacramental Life

- A. All churches of the Archdiocese that have been solemnly dedicated (prior to 1978, these were called "Consecrated" Churches) shall celebrate the Solemnity of the anniversary of Dedication on October 25, if the actual date is unknown. The anniversary of the Consecration of the Cathedral Basilica is celebrated in the Cathedral Basilica on October 12th.
- B. The proper place for the solemn reception of **Baptism** is the parish church of the candidate.
  - 1) In danger of death, the newly born infant shall be baptized privately.
  - 2) In such case, the parents or guardians shall arrange for supplying of the ceremonies in the parish church as soon as possible.
  - 3) When Baptism has been administered privately the minister of Baptism must transmit a complete record of this fact to the local parish church and the parish priest of the baptized.
- C. **Reservation of the Blessed Sacrament** shall be maintained in a reverent and safe manner. Safeguarding the tabernacle key is the personal responsibility of the pastor.
- D. **Marriage** –The priest or deacon witnessing the exchange of consent is responsible for completing the Pre-Nuptial Investigation Form. He should also see to it that the Common Marriage Policy for the State of Missouri is followed in preparing couples for celebrating the Sacrament of Matrimony.
  - 1) The Pre-Nuptial Investigation Form prepared by the Cardinal Rigali Center must be completed and kept in the Archives of the parish in which the marriage is celebrated. Parish priests are reminded that no marriage may be celebrated until all necessary documents have been presented. Attention is called to the requirement of the record of Baptism for Catholics intending to marry. This document must be of recent issue, i.e. within six months.
  - 2) Catholics should be married, if at all possible, during the Eucharist. Weddings are not to be scheduled on Sunday or Holy Days of Obligation. No weddings may take place outside.

- 3) No priest may declare the nullity of a marriage in order that another marriage may be contracted, even though the nullity of a previous marriage seems apparent, including lack of form cases. Such cases are always to be referred to the Tribunal.
- 4) Notification of the celebration of marriage of a Catholic must be sent immediately to the parish of his/her Baptism.

## **5. Education**

- A. All Catholic elementary and secondary schools whether parochial, diocesan or private, in the Archdiocese of St. Louis shall cooperate with the Archdiocesan Catholic Education Office.
- B. The pastor has ultimate responsibility for religious education within his parish.
- C. A religious community teaching in a school of the Archdiocese may not withdraw from its assignment without consulting the Archbishop

## **6. Temporalities**

- A. All real property of the Church shall be titled in the name and style of the Catholic Church Real Estate Corporation for the county in which it is located (e.g. "Catholic Church Real Estate Corporation for Franklin County"). The property shall be held in trust by such Real Estate Corporation and managed and administered in a manner which is consistent with Canon Law.
- B. Bank accounts of parishes shall be held as follows: (Legal Name of Church), Reverend (Name of Pastor), Pastor (e.g. "St. John Catholic Church, Reverend Michael P. Boehm, Pastor"). We forbid parish funds or any other Church funds to be deposited in any bank, safety deposit vault or other financial institution in the name or personal title of any cleric, layperson organization or corporation.
- C. Money for Mass Offerings must be kept in a distinct account (e.g. St. John's Parish Stipend Fund), from which the pastor will pay as the obligation is satisfied.
- D. Parishes shall borrow only from the St. Louis Archdiocesan Fund. Any other borrowing is prohibited.
- E. All stocks, bonds, debentures or other securities donated to or otherwise acquired by parishes shall be promptly transferred to the Archdiocese of St. Louis and shall not be held by the parish. The value of the securities will be credited to the parish according to their worth at the time of transfer to the Archdiocese. Pastors shall deposit surplus parish funds with the St. Louis Archdiocesan Fund. Written confirmation of the amount deposited, the term of the deposit and the interest earned on the deposit shall be provided at least semi-annually to the depositor. The amount deposited is payable on demand or according to the deposit term selected by the parish.

- F. It is required that all parishes use the official archdiocesan system of bookkeeping for financial records.
- G. No one may purchase new property (real estate), erect new buildings, or alienate, lease or extensively alter, demolish or add to any ecclesiastical property entrusted to his care without the permission of the Archbishop.
- H. The Pastor, in consultation with the Parish finance council, shall maintain and repair parish buildings as required. Repairs in excess of \$50,000 or 5% of anticipated annual income, whichever is lesser, require the permission of the Archbishop.
- I. Any construction of new ecclesiastical buildings or substantial renovation or remodeling of existing buildings must follow the procedures issued by the Office of Building and Real Estate.
- J. No one entrusted with the administration of Church property may incur an indebtedness against that property, or otherwise encumber the property, without the permission of the Archbishop.
- K. In a circumstance in which a parish has spent 5% or more of its unrestricted parish savings and/or in a circumstance in which a parish is spending 50% or more of its annual Sunday Offering for the sole purpose of operating its parochial school, the expressed permission of the Archbishop, in consultation with the Episcopal Vicar, is required before contracts may be offered to educators for the following academic year.
- L. All legal matters affecting Church property or administration shall be referred immediately to the Office of General Counsel.
- M. No corporation, trusteeship or separately incorporated endowment fund shall be established by a parish, school or agency of the Archdiocese without the express authorization of the Archbishop. Where these exist they should prudently be dissolved with the aid of the Office of General Counsel.
- N. All deeds, abstracts, certificates of title, leases, easements and all legal instruments relating to churches, schools, rectories, convents, cemeteries and all other diocesan property or property used by any parish or other subdivision thereof, shall be filed and kept by the Building and Real Estate Office of the Archdiocese.
- O. The main source of parish revenue shall be the freewill offerings of the faithful. Games of chance may be conducted by parishes and institutions only in strict accord with the laws of the state and municipalities and the spiritual mission of the Church.
- P. By August 15<sup>th</sup> of each year, a financial report of the parish and a report of the *Status Animarum* in accordance with the prescribed formula shall be sent to the Archdiocesan Finance Office. A printed financial report of the parish, indicating income and expenses, should be distributed to parishioners. Such a report will strengthen the confidence of the parishioners, who have a right to know how parish money is expended.
- Q. The pastor or administrator, when transferred or removed for any cause whatsoever, is obliged to forward to the Chief Financial Officer a financial statement of his administration up to the time of relinquishing his office.

- R. When pastors or administrators enter into their duties, they shall accurately make an inventory of both personal and ecclesiastical goods, movable and immovable. If an inventory previously prepared is used, any changes shall be carefully noted. Two signed copies shall be prepared, one for the parish archives, the other for the Archives of the Archdiocese.
- S. All parish and Archdiocesan property must be insured through the Archdiocesan Office of Risk Management and in accord with its specifications.
- T. The prompt repayment of monies borrowed from the Archdiocese shall be a high priority for the debtor. Loans should be repaid at the rate set by SLAF at the time of loan origination. Payments on principal and interest should be made monthly. The rates are variable and assessed quarterly.
- U. The Finance Office shall submit semiannual statements on interest due on parish and institutional loans.
- V. All invoices received from other Archdiocesan entities are due upon receipt and must be paid within thirty days from date of billing.
- W. Amounts owed other Archdiocesan entities may not be repaid on an installment method without first obtaining written permission to do so from the Archbishop or his delegate.

## **7. Miscellaneous**

- A. The Constitution of the Priests' Mutual Benefit Society shall be observed carefully.
- B. A spirit of mutual charity unites our priests in the Priests' Purgatorial Society. Priests are reminded of their pledge to offer three Holy Masses for the repose of the souls of departed members.
- C. Religious superiors shall seek the permission of the Archbishop for the erection of religious houses and of institutions serving the external mission of the Institute separate from already existing institutions. Moreover, in instances where the Archbishop's permission is not strictly required by the same canon, good order demands that he be informed of plans to acquire property or to build within the Archdiocese. Personal Prelatures are also encouraged to cooperate in this effort.
- D. No individual or organization identifying itself as Catholic shall solicit funds within the Archdiocese for any reason whatsoever without securing the permission of the Archbishop.